

REMARKS

The Office presents rejections for claims 6-8, 10, 16-18, 20, 26-28 and 30 under 35 U.S.C. 102(a) as being anticipated by an article entitled “Omnisky licenses handspring blazer browser technology for faster web browsing of more websites”.

The applicants wish to point out that the date listed for this article is April 12, 2001. The applicants submit with this response the declaration of Michael J. Dehaemer Jr., the attorney that drafted this application. The declaration provides clear and convincing evidence that the applicants’ date of invention preceded this article, and as such, effectively serves to swear behind the cited reference.

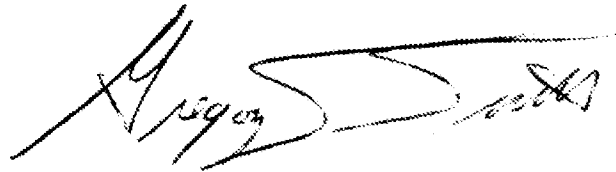
The applicants also wish to point out that the original assignee of this invention was in fact Omnisky. As such, the Omnisky article cited by the Office in and of itself could operate as proof of invention, if indeed it fully discloses the invention as asserted by the Office.

Thus, the applicants’ respectfully submit that the cited article is not a valid 102(a) reference and as such, the present rejection should be removed.

CONCLUSION

Applicants respectfully submit the claims are allowable over the cited art and respectfully request the Office to move this case towards allowance. The applicant invites the Office to contact the undersigned at its convenience should the Office believe it would facilitate prosecution of this application. Applicant thanks the Examiner for consideration of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gregory Scott Smith', written in a cursive style.

Gregory Scott Smith
Registration No. 40,819

Smith Frohwein Tempel Greenlee Blaha, LLC
Two Ravinia Drive, Suite 700
Atlanta, Georgia 30456
Telephone: (770) 804-9070
Facsimile: (770) 804-0900